

Executive Registry

84-1208/1

16 MAR 1984

MEMORANDUM TO: Director of Central Intelligence

FROM: Stanley Sporkin
General Counsel

SUBJECT: Fifth Intelligence Community Legal Conference

Bill:

We are currently planning our Fifth Intelligence Community Legal Conference, which is scheduled for 16 through 18 May 1984. [redacted] and would like to invite you to participate on the evening of either Wednesday, the 16th, or Thursday, the 17th, as your schedule permits.

STAT

As in the past, I intend to invite the general counsels and senior attorneys from various Intelligence Community elements, as well as senior officials from the Department of Justice. This year Judge Webster already has agreed to participate on the evening of 16 May, [redacted]

STAT

In the past this conference has provided a special forum for the discussion of topics of mutual interest, and in my view has contributed to increased cooperation among Community counsel and an improved understanding by the Department of Justice of the Community's unique legal problems. I very much would like to have you join us for dinner and post-dinner discussion, particularly on the 16th if your schedule permits. A tentative agenda for the conference is attached for your information.

STAT

[redacted]
Stanley Sporkin

Attachment

APPROVE: _____ 16 May _____ 17 May _____

DISAPPROVE: *[Signature]* 23 MAR 1984DCI
EXEC
REG

B-307

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Intelligence Community Legal Conference - 1984

Executive Registry

84-1208/1

FROM:

Stanley Sporkin
General Counsel

EXTENSION

NO.

DATE

16 March 1984

STAT

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

DDCI

20 MAR 1984

2.

DCI

20 MAR 23 MAR 1984

3.

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15.

DCI:
Your schedule is clear
both nights, but there is
a Cabinet breakfast
(tentative) on the morning of
the 17th.

STAT

Central Intelligence Agency
Washington, D.C. 20505

Executive Registry
84 - 1208

16 March 1964

Executive Director

NOTE FOR THE GENERAL COUNSEL

- ° Mentioned to DDCI who scanned the agenda. He does not plan to appear. He did ask who was hosting the session; I told him of your plan to contact [] to play host.
- ° I have no useful comment about the agenda; you certainly know better than I what legal problems are apt to be of greatest interest to this crowd. And what, if any, issues are best left dormant.
- ° Suggest you inform the Director yourself of Judge Webster's planned attendance and see whether he wants to tie in in any way.

STAT

[]
STAT



B-307

INTELLIGENCE COMMUNITY LEGAL CONFERENCE
16-18 May 1984
Agenda

Wednesday, 16 May

4:00 - 5:00 p.m. Arrival
5:00 p.m. Welcome/Administrative and Security Briefing
5:00 - 6:00 p.m. Cocktails
6:00 - 8:00 p.m. Dinner/Guest Speakers/Discussions

Thursday, 17 May

STAT

8:30 - 10:00 a.m. NATIONAL SECURITY AND THE FIRST AMENDMENT Stanley Sporkin

- A. Protecting information in private manuscripts - the extent of government authority
- B. Update on NSDD-84
 - 1. Leaks and the polygraph
 - 2. Enjoining publication without a written agreement
 - 3. Congressional proposals



10:00 - 10:15 a.m. BREAK

10:15 - 11:15 a.m. ISSUES IN CRIMINAL LITIGATION

STAT

- A. Selected Issues in Criminal Law
 - 1. Recent cases and developments
 - a. Dellums v. Smith - Scope of the neutrality laws
 - b. Independent counsel and provision of DoJ opinions



2. Statutory defense for intelligence personnel
3. Espionage prosecutions: Are the laws adequate?

STAT

11:15 - 11:30 a.m. BREAK

11:30 - 12:30 p.m. B. Protecting Classified Information

1. Experiences under the Classified Information Procedures Act: Is it working? as a case in point.

2. Community support to law enforcement (discovery problems in narcotics and technology transfer cases)

STAT

3. Special problems in protecting Community equities

- a. The case and defining protectable information

STAT

- b. Using subjects of DoJ investigations

- c. Using polygraph results

STAT

12:30 - 1:45 p.m. LUNCH

1:45 - 3:15 p.m. ISSUES IN CIVIL LITIGATION

A. Protection of sources and methods

Invocation of privilege: state secrets, statutory, executive, attorney-client, and work product

B. Significant recent cases, including Update on the case, congressional recrds, and other matters

STAT

3:15 - 3:30 p.m. BREAK

3:30 - 5:00 p.m. LEGAL ISSUES IN COUNTERTERRORISM

A. Role of the Intelligence Community

B. Prosecuting terrorists -- need for legislation?

C. Impact of international law

STAT

5:00 - 6:00 p.m. FREE TIME

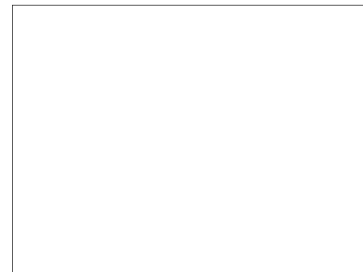
6:00 - 9:00 p.m. COCKTAILS AND DINNER

STAT

Friday, 18 May

9:00 - 10:45 a.m. OVERSIGHT OF INTELLIGENCE ACTIVITIES

- A. A review of oversight issues -- the ABA questionnaire
- B. Role of the Attorney General
- C. A review of the system
 - Reports to Congress
 - Law vs. policy



10:45 - 11:00 a.m. BREAK

11:00 - 12:00 a.m. SIGNIFICANT ADMINISTRATIVE ISSUES

General Counsels

- A. New retirement programs being considered
 - 1. Protecting spouses' interests
 - 2. Program for new employees
- B. Security clearance standards
- C. Regular lawyers' lunches
- D. Wrapup/Other

12:00 - LUNCH